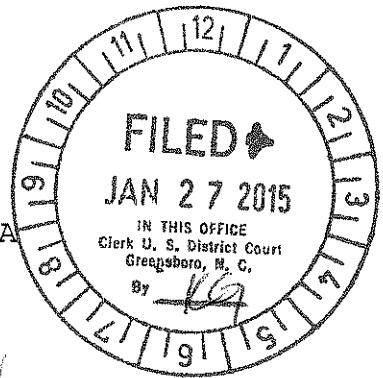


IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



UNITED STATES OF AMERICA

:

v.

:

1:15CR 20 -1

:

JAMES KEVIN HAYES

:

The Grand Jury charges:

From on or about October 7, 2012, continuing up to and including on or about October 16, 2013, the exact dates to the Grand Jurors unknown, in the County of Moore, in the Middle District of North Carolina, JAMES KEVIN HAYES knowingly did receive child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), that had been mailed, shipped and transported using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce by any means, including by computer; in violation of Title 18, United States Code, Section 2252A(a) (2) (A) and (b) (1).

FORFEITURE ALLEGATION

1. The allegations contained in this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 2253.

2. Pursuant to Title 18, United States Code, Section 2253, upon conviction of an offense in violation of Title 18,

United States Code, Section 2252A, JAMES KEVIN HAYES shall forfeit to the United States of America:

- a. Any visual depiction described in Title 18, United States Code, Sections 2251, 2251A, or 2252, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Title 18, United States Code, Chapter 110;
- b. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offense; and
- c. Any property, real or personal, used or intended to be used to commit or to promote the commission of the offense.

The property to be forfeited includes, but is not limited to, the following:

- a. One Staples brand, model Relay, 4GB thumb drive, product ID SDUFSTS-004G;
- b. One Toshiba hard drive, serial number 77MTT1SDT; and

c. One Toshiba hard drive, serial number
Z5TY3638S.

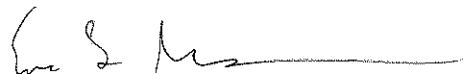
3. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

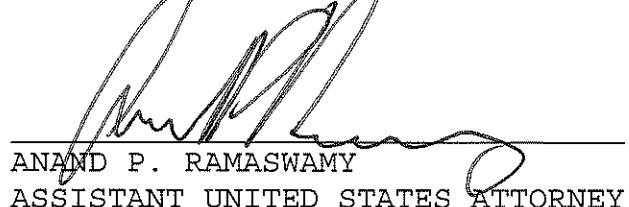
the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b), and by Title 28, United States Code, Section 2461(c).

All in accordance with Title 18, United States Code,
Section 2253, and Rule 32.2, Federal Rules of Criminal
Procedure.

A TRUE BILL:



ERIC L. IVERSON
ASSISTANT UNITED STATES ATTORNEY



ANAND P. RAMASWAMY
ASSISTANT UNITED STATES ATTORNEY



RIPLEY RAND
UNITED STATES ATTORNEY